

3617 \$ Efw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

	IN THE CIVILED STRIEST ME	IVI MIND IMADEMINING CITICE
In re P	atent Application of:)
	Robert Shaw cation No.: 10/646,030 August 22, 2003 SPORT BOARD CONTROL DEVICE AND FOOTPIECE)) Examiner: Not yet assigned) Art Unit: 3617)))
Comm	top Amendment nissioner for Patents ox 1450 ndria, VA 22313-1450	
	PRELIMINARY	AMENDMENT
Dear S	ir:	
	Prior to examination of the above-r	eferenced application, the Applicant
respec	tfully requests the Examiner to ente	r the following amendments and to
consid	er the following remarks.	
	<u>First-Class Certi</u>	ficate of Mailing
Service	as first-class mail with sufficient posta Iment, Commissioner for Patents, P.O. June 21	ing deposited with the United States Postal age in an envelope addressed to Mail Stop: Box 1450, Alexandria, Virginia, 22313-1450 1, 2004
		Neathery
\ :.	Name of Person Mail	•
—————————————————————————————————————	Signature Signature	<u>June 21, 2004</u> Date
IAN 00000	084 10646030	
	18.00 OP	

06/28/2004 JBALIN

01 FC:2202

Inventor: Robert Shaw Application No.: 10/646,030 Examiner: Unassigned Art Unit: 3617

•	5007 h	•	
			PATENT
g	Filing	ation No.:10/646,030 Date: 08/22/2003	
		lamed Inventor Robert Shaw	
		ner's Name: Not yet assigned	
	Art Un	it: <u>3617</u>	
	Attorn	ey Docket No.: 6700P001X	
		An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited a	action.
	<u> </u>		
	_X	future reply that requires a petition for extension of time as incorporating a petition for extension appropriate length of time and (2) charge all required fees, including extension of time fees and CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.	of time for the
	_X		·
		CHMENTS	
	<u> </u>	Preliminary Amendment (7 pages)	
	 	Amendment/Response with respect to Office Action dated 2/20/2004.	
		Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appe Notice of Appeal	al)
		RCE (Request for Continued Examination)	12
		Supplemental Declaration	
		Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)	
		Information Disclosure Statement (IDS)	
		Copies of IDS citations	: •
		Petition for Extension of Time	1
	_x	Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)	Duplicate.
		Cross-Reference to Related Application(s)	
	·	Certified Copy of Priority Document	\$* ₁
	X	Other: Certificate of Mailing	to a
		Other:	
	x_	Check(s) # 65547 in the amount of \$18.00 (fee for 2 extra claims.)	_
	<u>x</u>	Postcard (Return Receipt)	
	SUBMI	ITTED BY:	
	BLAKE	LY SOKOLOFF TAYLOR & ZAFMAN LLP	
		NAME: Mark A. Kupanoff	
	SIGNA	TURE:	
	REG. N	NO.: <u>55,349</u>	
		June 21, 2004	
	ADDRE	ESS: 12400 Wilshire Boulevard, Seventh Floor	
		Los Angeles, California 90025	
	TELEP	HONE NO.: (408) 720-8300	
		CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)	
	I hereb	y certify that this correspondence is being deposited with the United States Postal Service as first class mail with sur elope addressed to MS: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: June 21, 2004	fficient postage in
		Date of Deposit Dianne Neathery	
	1	Name of Person Mailing Correspondence	
	<u> </u>	Signature June 21, 2004 Date	
		Signature Date	
	Expres	s Mail Label No. (if applicable): N/A	

JUN 2 4 2004 EV

FEE TRANSMITTAL FOR FY 2004

.5/		(FY 2004 Begins 10/01/2003)	
		,	
9: // 0		TOTAL AMOUNT OF PAYMENT (\$) \$18.00	-
Complete if Known Application No.		20	
Filing Date	<u>10/646,03</u> 08/22/200		
First Named Invent			
Examiner Name		signed	
Art Unit	3617		
Attorney Docket No.	6700P001	X	
_X Applican	nt claims sma	all entity status. See 37 CFR 1.27.	
METHOD OF PAY	MENT (che	ck all that apply)	
X Check _	Cred	it Card Money Order Other	None
X Deposit Ac	count		
		t Number : <u>02-2666</u>	
	osit Account		
		zed to do the following with respect to the above-identific	ed Deposit Account:
		idicated below.	
	edit any over		
X Cha	arge any add	litional fees during the pendency of this application.	
		r future reply that requires a petition for extension of time shoul	
		an appropriate petition for extension of time and all required fee	s should be charged.
Cha	arge fee(s) ir	ndicated below except for the filing fee.	
	MALES.		
FEE CALCULATION	ON		•*
1. BASIC FILING	<u>FEE</u>	•	:
Large Entity Sn	mall Entity		, v
Fee Fee Fe			•
Code (\$) Co	ode (\$)	Fee Description	Fee Paid
	01 385	Utility application filing fee	
	002 170	Design application filing fee	
	003 265	Plant filing fee	
	004 385	Reissue filing fee	
1005 160 20	005 80	Provisional application filing fee	
		SUBTOTAL (1)	\$.00
		ODDIOTAL (I)	<u> </u>
2. EXTRA CLAIM	FEES FOR	UTILITY AND REISSUE	
		Fee from	
1		Extra Claims below	
		<u>LXIIa Ciairiis</u> <u>Dei</u> OW	<u>Fee Paid</u>
Tatal Olaima	00		· · · · · · · · · · · · · · · · · · ·
_	22	-20** = <u>2</u> X <u>9.00</u> =	18.00
Independent Clair	ms <u>3</u>		=
Independent Clair Multiple Depende	ms <u>3</u> ent	- 20** = 2	18.00
Independent Clair Multiple Depende **Or number prev	ms <u>3</u> ent riously paid	-20** = <u>2</u> X <u>9.00</u> =	=
Independent Clair Multiple Depende **Or number prev Large Entity Sn	ms <u>3</u> ent riously paid nall Entity	- 20** = 2	=
Independent Clair Multiple Depende **Or number prev Large Entity Sn Fee Fee Fe	ms 3 ent riously paid mall Entity ee Fee	$-20^{**} = 200000000000000000000000000000000000$	=
Independent Clair Multiple Depende **Or number prev Large Entity Sn Fee Fee Fe Code (\$) Co	ms 3 ent viously paid mall Entity se Fee ode (\$)	$-20^{**} = 2 $	=
Independent Clair Multiple Depende **Or number prev Large Entity Sn Fee Fee Fe Code (\$) Co 1202 18 22	ms 3 ent viously paid mall Entity ee Fee ode (\$) 202 9	$-20^{**} = 2 $	=
Independent Clair Multiple Depende **Or number prev Large Entity Sn Fee Fee Fe Code (\$) Co 1202 18 22 1201 86 22	ms 3 ent viously paid mall Entity se Fee ode (\$)	$-20^{**} = 2 \\ -3^{**} = 0$ X $\frac{9.00}{42.00} = 0$ I, if greater; For Reissues, see below. $\frac{\text{Fee Description}}{\text{Claims in excess of 20}}$ Independent claims in excess of 3	=
Independent Clair Multiple Depende **Or number prev Large Entity Sn Fee Fee Fe Code (\$) Co 1202 18 22 1201 86 22 1203 290 22	ms 3 ent viously paid nall Entity ee Fee ode (\$) 202 9 201 43	$-20^{**} = 2 \\ -3^{**} = 0$ X $\frac{9.00}{42.00} = 0$ I, if greater; For Reissues, see below. $\frac{\text{Fee Description}}{\text{Claims in excess of 20}}$ Independent claims in excess of 3 Multiple dependent claim, if not paid	=
Independent Clair Multiple Depende **Or number prev Large Entity Sn Fee Fee Fe Code (\$) Co 1202 18 22 1201 86 22 1203 290 22 1204 86 22	ms 3 ent viously paid nall Entity se Fee ode (\$) 202 9 201 43 203 145	- 20** = 2 X 9.00 = - 3** = 0 X 42.00 I, if greater; For Reissues, see below. Fee Description Claims in excess of 20 Independent claims in excess of 3 Multiple dependent claim, if not paid **Reissue independent claims over original patent	= <u>18.00</u> = <u>.00</u> =
Independent Clair Multiple Depende **Or number prev Large Entity Sn Fee Fee Fe Code (\$) Co 1202 18 22 1201 86 22 1203 290 22 1204 86 22	ms 3 ent viously paid nall Entity ee Fee ode (\$) 202 9 201 43 203 145 204 43	$-20^{**} = 2 \\ -3^{**} = 0$ X $\frac{9.00}{42.00} = 0$ I, if greater; For Reissues, see below. $\frac{\text{Fee Description}}{\text{Claims in excess of 20}}$ Independent claims in excess of 3 Multiple dependent claim, if not paid	= <u>18.00</u> = <u>.00</u> =
Independent Clair Multiple Depende **Or number prev Large Entity Sn Fee Fee Fe Code (\$) Co 1202 18 22 1201 86 22 1203 290 22 1204 86 22	ms 3 ent viously paid nall Entity ee Fee ode (\$) 202 9 201 43 203 145 204 43	- 20** = 2 X 9.00 = - 3** = 0 X 42.00 I, if greater; For Reissues, see below. Fee Description Claims in excess of 20 Independent claims in excess of 3 Multiple dependent claim, if not paid **Reissue independent claims over original patent	= 18.00 = .00 = .00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large I	<u>Entity</u>	Small E	ntity		
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	· <u>- </u>
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	· , , , , , , , , , , , , , , , , , , ,
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	• :
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per	•
				property (times number of properties)	
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814	55	Statutory Disclaimer	
1810	770	2810	385	For each additional invention to be examined	
				(see 37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)) <u> </u>
1454	1,330	1454		Acceptance of unintentionally delayed claim for priority	
			·		
Otner	ree (specify	<i>y</i>)		CURTOTAL (2) ¢	
*Reduc	ed by Basic	Filing Fee	Paid	SUBTOTAL (3) \$.00_
	IITTED BY				
Typed	l or Printe	d Name:	Mark A	A. Kupanoff	
Signat	ture: <u>/</u> V	ah !	a. Kop	Date: June 21, 2004	
Reg. N	Number:	55,349	* /	Telephone Number:(408) 720-8300	

OFE.	JC778
(, , ,	DON RY
JUN Z	c)
REAL & TOP	221182

FEE TRANSMITTAL FOR FY 2004

1					(FY 2004 Βε	gins 10/01/200:	3)	0 04				
angy!					`	•	•	•				
				TOTAL	. AMOUNT	OF PAYMEN	T (\$)	<u>\$1</u>	8.00	-		
	lete if Kn		40/040 0	20								
	ation No		<u>10/646,0:</u> 08/22/20(_					
	Date lamed in						_					
	ner Name		lot yet as									
Art Un			8617	ssigned			_					
	ey Docke		700P001	X			- .					
					itus. See 3	37 CFR 1.27.					-	
METH	OD OF	PAYME	NT (che	eck all that a	apply)							
<u>X</u> _	_ Chec	k	Cred	lit Card	Mor	ney Order		Oth	er		None	
Y	_ _ Depos	it Accou	ınt									
-^-				t Number :	02-266	e .						
			Accoun		02-200	<u> </u>						
l x					e followin	g with respec	t to th	e abo	 ove-identifi	ed D	enosit Ac	count:
				ndicated bei		g					, o p o o ,	Journe.
	X			payments.								
	<u> </u>				during the	e pendency o	f this a	pplic	ation.			
	<u>x</u>					es a petition fo				d be	treated as	
						or extension of		d all	required fee:	s sho	ould be cha	rged.
		Charge	e fee(s) ii	ndicated bel	ow except	t for the filing	<u>fee</u> .					
FEE C	CALCUL	ATION	 									
:												
1. <u>BA</u>	SIC FILI	NG FEI	<u>E</u>									
l arne	Entity	Small	Entity									
Fee	Fee	Fee	Fee									
Code	(\$)	Code	(\$)	Fee Desc	ription						Fee Paid	
1001	770	2001	385		plication fi	ling fee						
1002	340	2002	170 ·		pplication							
1003	530	2003	265	Plant filir	g fee	•						
1004	770	2004	385	Reissue 1	filing fee							
1005	160	2005	80	Provision	ial applica	tion filing fee						
							S	UBT	OTAL (1)	\$		
2 EY	TPA CI	AIM EE	ES EOD	UTILITY	ND PEIS	SHE						
<u></u>	I IVA UL	FUN FE	LO I OR	VIIII M	-10 IVEIO	<u> </u>			Fee from			
					Extra Cla	ims			below		Fee Paid	
					EXITA OIG	<u></u>			DOIOW		1 00 1 ald	
Total	Claims	22_		- 20** =		2_		X	9.00 =	<u> </u>	<u> 18.00</u>	
indep	endent (Claims	_3	- 3** =		0		X	42.00	=	00_	
Multip	ole Depe	ndent								=		
**Or n	umber p	oreviou	sly paid	l, if greater	; For Reis	sues, see b	elow.					
Large	Entity	<u>Small</u>	Entity									
Fee	Fee	Fee	Fee									
Code	(\$)	Code	(\$)	Fee Descri								
.1202.		2202	9	_Claims in								· ···
1201	86	2201	43			in excess of 3						
1203	290	2203	145			laim, if not p						
1204	86	2204	43			ent claims ove						
1205	18	2205	9	**Reissue	claims in e	excess of 20 a	and ove	er ori	iginal pater	nt		
								6115	STOTAL (S)		40.00	

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large f	Entity	Small E	ntity								
Fee	Fee	Fee	Fee								
Code	(\$)	Code	(\$)	Fee Description	Fee Paid						
1051	130	2051	65	Surcharge - late filing fee or oath							
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet							
1053	130	1053	130	Non-English specification							
1812	2,520	1812	2,520	For filing a request for ex parte reexamination							
1813	8,800	1813	8,800	Request for inter parties reexamination							
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action							
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action							
1251	110	2251	55	Extension for reply within first month							
1252	420	2252	210	Extension for reply within second month							
1253	950	2253	475	Extension for reply within third month							
1254	1,480	2254	740	Extension for reply within fourth month							
1255	2,010	2255	1,005	Extension for reply within fifth month							
1401	330	2401	165	Notice of Appeal							
1402	330	2402	165	Filing a brief in support of an appeal							
1403	290	2403	145	Request for oral hearing							
1451	1,510	1451	1,510	Petition to institute a public use proceeding							
1452	110	2452	55	Petition to revive – unavoidable							
1453	1,330	2453	665	Petition to revive - unintentional							
1501	1,330	2501	665	Utility issue fee (or reissue)							
1502	480	2502	240	Design issue fee							
1503	640	2503	320	Plant issue fee							
1460	130	1460	130	Petitions to the Commissioner							
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)							
1806	180	1806	180	Submission of Information Disclosure Stmt							
8021	40	8021	40	Recording each patent assignment per							
		**		property (times number of properties)							
1809	770	2809	385	For filing a submission after final rejection							
				(see 37 CFR 1.129(a))							
1814	110	2814	55	Statutory Disclaimer							
1810	770	2810	385	For each additional invention to be examined							
.0.0				(see 37 CFR 1.129(b))							
1801	770	2801	385	Request for Continued Examination (RCE)							
1802	900	1802	900	Request for expedited examination of a design							
.00_				application							
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.							
1505	300	1505	300	Publication fee for republication							
1803	130	1803	130	Request for voluntary publication or republication							
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	,						
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority							
	•		•								
	• • •	-									
Other f	ee (specify	"									
				SUBTOTAL (3) \$_	.00_						
	ed by Basic		Paid								
SUBM	ITTED BY	<u>;</u>									
Typed	or Printe	name:	Mark A	A. Kupanoff							
Signat		lah 1	A. Vist	Date: June 21, 2004							
•	7	1	7	1)	***************************************						
keg. N	lumber:	55,349		Telephone Number: (408) 720-8300							

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450